

**Exhibit “1”**

- (8) The words "building" and "structure" include any part thereof.
  - (9) The words "lot," "plot" and "tract of land" shall one include the other.
  - (10) The word "premises" shall include land and all structures thereon.
  - (11) The word "herein" means "in this chapter"; the word "regulations" means the regulations of this chapter; and the words "this chapter" shall mean "this chapter and the maps included herein as enacted or subsequently amended."
  - (12) The words "occupied" and "used" shall be considered to be followed by the words "or intended, arranged or designed to be occupied or used," unless the natural construction of the wording indicates otherwise.
  - (13) References made to officials and official bodies shall mean officials and official bodies of the Village of Pomona, unless the natural construction of the wording indicates otherwise.
  - (14) The "Village" is the Village of Pomona in the County of Rockland, State of New York; the "Village Board," "Board of Appeals," "Planning Board" and "Code Enforcement Officer" are, respectively, the Board of Trustees of the Village of Pomona, the Village of Pomona Zoning Board of Appeals, the Village of Pomona Planning Board and the Village of Pomona Code Enforcement Officer.
  - (15) In case of any difference of meaning or implication between the text of this chapter and any caption or illustration, the text shall control.
- B. Terms not defined. Where terms are not defined, they shall have their ordinarily accepted meanings or such as the context may imply.

**§ 130-4. Terms defined.**

As used in this chapter, the following terms shall have the meanings indicated:

**ACCESSORY BUILDING** — A building subordinate to the main building on the lot and used for purposes customarily incidental to that of the main building. Where an "accessory building" is attached to the main building in a substantial manner, as by a wall or roof, such "accessory building" shall be considered part of the main building.

**AGRICULTURAL USE** — The growing of field crops or raising of livestock.

**ALTERATION** — A change or rearrangement in the supporting members of a building or structure, or an enlargement, whether by extending on a side or by increasing in height, or the moving from one location or position to another.

**BASEMENT** — A portion of a building partly underground, but having less than half its clear height below the average grade of the adjoining ground. See also "cellar."

**BOARD OF APPEALS** — The Board of Appeals of the Village of Pomona.

**BOARD OF TRUSTEES** — The Board of Trustees of the Village of Pomona.

**BUILDING** — Any structure having a roof, self-supporting or supported by columns or walls, which is permanently affixed to the ground and intended for the shelter, housing or enclosure of persons, animals or chattel.

**BUILDING, AIR-PRESSURE** — Any structure partially or totally supported by air pressure.

**BUILDING AREA** — The maximum horizontal cross section of a building, including porches, balconies and raised platforms, but excluding cornices, roof overhangs, gutters or chimneys projecting not more than three feet and steps and terraces not more than three feet above the average adjacent ground elevation.

**BUILDING CODE** — The New York State Uniform Fire Prevention and Building Code adopted by the Board of Trustees of the Village of Pomona.

**BUILDING COVERAGE** — That percentage of the land area covered by the combined building area of all buildings, excluding any buildings or structures located completely below ground.

**BULK** — The size and shape of buildings and nonbuilding uses; and the physical relationship of their exterior walls and accessory construction to plot lines; and all open spaces required in connection with a building or structure. "Bulk" regulations include regulations dealing with plot area, plot frontage, plot width, plot depth, height, required yards, the ratio of roofed or roofable area to the area of the plot.

**BUSINESS OR PROFESSIONAL OFFICE** — An establishment offering services to the general public or the business community.

**CAMP** — An establishment, including facilities for seasonal use, organized for recreational or athletic purposes.

**CELLAR** — A portion of a building partly or wholly underground, having half or more than half of its clear height below the average grade of the adjoining ground. See also "basement."

**CEMETERY** — A place containing graves or tombs for the interment of the dead.

**CLEARING** — The removal of trees with a circumference of 25 inches or more measured at a height four and one half feet above existing ground level at the base of the tree on the uphill side or the stripping of soil. [Added 6-23-1997 by L.L. No. 8-1997; amended 11-25-2003 by L.L. No. 9-2003; 3-28-2005 by L.L. No. 2-2005]

**CORNER LOT** — A lot located at the junction of and fronting on two or more streets intersecting at an angle of less than 135°.

**DIMENSIONALLY NONCONFORMING** — See "nonconforming, dimensionally."

**DIMENSIONAL NONCONFORMITY** — See "nonconformity, dimensional."

**DORMITORY** — A building that is operated by an educational institution located on the same lot and accessory to a principal school use and which contains private or semiprivate

rooms which open to a common hallway, which rooms are sleeping quarters for administrative staff, faculty or students. Communal dining, cooking, laundry, lounge and recreation facilities may be provided. Dormitory rooms shall not contain separate cooking, dining or housekeeping facilities except that one dwelling unit with completed housekeeping facilities may be provided for use of a superintendent or supervisory staff for every 50 dormitory rooms. Not more than one communal dining room shall be provided in any building used for dormitory purposes. Single-family, two-family and/or multifamily dwelling units other than as described above shall not be considered to be dormitories or part of dormitories. [Added 9-27-2004 by L.L. No. 5-2004; amended 1-22-2007 by L.L. No. 1-2007]

**DRIVEWAY** — A passageway with an impervious surface for the use of motor vehicles.

**DRIVEWAY GRADIENT** — The average percent of grade increase or decrease of a driveway measured from the property line at which the private property meets the street to the end of pavement at the point at which the driveway meets the building. A level area, not to exceed 4%, shall be provided at the top of the driveway from the point at which the driveway meets the building. This area shall be a minimum of 30 feet by 30 feet and shall not be included in the driveway gradient calculation. [Added 3-22-2004 by L.L. No. 2-2004]

**DWELLING, ONE-FAMILY DETACHED** — A building containing a single principal dwelling unit occupied by only one family and located in its own separate building which does not abut any other dwelling unit.

**DWELLING, TWO-FAMILY DETACHED** — A building containing two principal dwelling units located in their own separate building which does not abut any other dwelling and which does not include a dwelling unit attached or connected to another dwelling by a party wall.

**DWELLING UNIT** — A building or portion thereof providing complete housekeeping facilities for one family, including independent cooking, sanitary and sleeping facilities, and physically separate from any other dwelling unit whether or not in the same building.

**EDUCATIONAL INSTITUTION** — Any private or religious elementary, junior high or high school, college, graduate or post-graduate school conducting a full-time curriculum of instruction a minimum of five days per week for seven months per year and accredited by the New York State Education Department or similar recognized accrediting agency. [Added 1-22-2001 by L.L. No. 1-2001; amended 9-27-2004 by L.L. No. 5-2004]

**FAMILY** — Any number of individuals related by blood, marriage or adoption, or not more than four persons who are not so related, living together as a single housekeeping unit, using rooms and housekeeping facilities in common and having such meals as they may eat at home generally prepared and eaten together.

**FARM STAND** — An establishment offering agricultural products grown or raised on the premises for retail sale.